

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of January 27, 2004 is respectfully requested.

As an initial matter, it is noted that this is a national stage application of an international application filed under PCT rules. Furthermore, as indicated in the Declaration filed with this application, the Applicants are claiming priority based on Norwegian Application 1993116. In view of the Notice from the USPTO dated March 12, 2002, a certified copy of the priority document was received from the International Bureau under PCT rule 17.2(a). However, the Examiner has not yet acknowledged receipt of the priority document. Thus, the Examiner is respectfully requested to acknowledge receipt of the certified copy of the priority document in this application so as to thereby indicate that the Applicants' claim for foreign priority in this application has been perfected.

The Examiner has objected to the substitute specification because the Examiner asserts that the substitute specification contains new matter. Specifically, the Examiner asserts that the phrase "watertight and hollow" as inserted in paragraph [0014] of the specification constitutes new matter. Although the Applicants do not acquiesce to the Examiner's assertion, the specification has now been revised so as to change the phrase "watertight and hollow" to "empty and hollow." As explained to the Examiner during the telephone interview of May 18, 2004, the original disclosure explained that the tether pipes are kept empty, and that the tether pipes are designed to resist hydrostatic pressure from the surrounding sea. It is submitted that these teachings, in addition to the numerous references to the tethers pipe being buoyant, clearly supports the fact that the tether pipes are empty and hollow. Thus, it is submitted that the Examiner's objection to the specification has been overcome.

Although the claims have been amended as will be described in detail below, it is submitted that the amendments are directed only to matters of form and/or to incorporate the subject matter of a dependent claim into an independent claim. Thus, despite the finality of the outstanding Office Action, the Examiner is requested to enter and consider the above amendments.

The Examiner has rejected claims 28-47 under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserts that the original

disclosure does not support the limitation “hollow and watertight tethers” as recited in each of claims 28, 41, and 47. Although the Applicants do not acquiesce to this position, the phrase “hollow and watertight” has now been changed to “hollow and empty” in claims 28 and 41, and claim 47 has been cancelled. As explained to the Examiner during the interview of May 18, 2004, it is submitted that the original disclosure of the present invention (and at least that portion set forth in original paragraph [0014] of the specification) clearly supports this amended limitation. Thus, in view of the amendments to independent claims 28 and 41, and the cancellation of claim 47, it is respectfully submitted that the Examiner’s rejection under § 112, first paragraph, has been overcome.

The Examiner has rejected claims 28-47 under 35 USC § 102(b) as being anticipated by the Copple ‘330 reference; and has rejected claims 28-47 as being anticipated by the Nista reference. However, independent claims 28 and 41 have now been amended as indicated above, and independent claim 47 has been cancelled. For the reasons discussed below, it is respectfully submitted that amended independent claims 28 and 41, and the claims that depend therefrom, are clearly patentable over the prior art of record.

Independent claim 28 has been amended to incorporate the subject matter of dependent claim 32, which has now been cancelled; and independent claim 41 has been amended to incorporate the subject matter of dependent claim 43, which has also now been cancelled. Specifically, each of independent claims 28 and 41 now recite that each of the tethers further includes an intermediate section between an upper section and a lower section, and the intermediate section has a wall thickness larger than a wall thickness of the upper section and smaller than a wall thickness of the lower section. Therefore, each of the tethers has at least two stepped increases in wall thickness from the tension leg platform toward the sea bed. As explained in paragraph [0013] of the specification, this arrangement allows the lower sections of each tether to withstand the hydrostatic pressures at greater depths, while also allowing the upper sections to be more buoyant so as to balance the overall weight of the upper and lower sections.

In the Office Action of January 27, 2004, the Examiner asserted that the Copple ‘330 reference teaches that “increased pressure resistance towards the sea bed is created as by increased wall thickness of successively lower sections, column 8, lines 57-59.” However, this section of the

Copple '330 reference merely suggests that the wall thickness of the pile in the vicinity of the sea bed is increased. The Copple '330 reference does not, however, disclose or even suggest a tether system including a plurality of tethers, in which each tether includes a lower section, an intermediate section, and an upper section, and in which the intermediate section has a wall thickness larger than a wall thickness of the upper section and smaller than a wall thickness of the lower section so that each of the tethers has at least two stepped increases in wall thickness from the tension leg platform toward the sea bed, as recited in amended independent claims 28 and 41. Thus, it is submitted that the Copple '330 reference does not anticipate amended claims 28 and 41.

In the Office Action, the Examiner also asserted that the Nista reference teaches that "increased pressure resistance towards the sea bed is created as by increased wall thickness of successively lower sections, column 3, line 64 to column 4, line 9." However, this portion of the Nista reference does not disclose the features now recited in independent claims 28 and 41. Specifically, this portion of the Nista reference merely teaches that the lower section 2 of each column has a thickness of 100mm to 300mm, the intermediate section 3 has a thickness in a range of 50mm to 150mm, and the upper section 4 has a thickness in a range of 100mm to 300 mm. Thus, although the intermediate section 3 has a wall thickness smaller than a wall thickness of the lower section 2, the intermediate section 3 also has a wall thickness *smaller* than a wall thickness of the upper section, which is contrary to independent claims 28 and 41. Furthermore, although the Nista reference teaches that the thickness of the lower section 2 "gradually increases" towards the lower end, it is submitted that the Nista reference does not disclose or even suggest a lower section, an intermediate section, and an upper section having wall thicknesses as recited in independent claims 28 and 41 such that each of the tethers has at least two stepped increases in wall thickness from the tension leg platform toward the sea bed. Thus, it is submitted that the Nista reference does not anticipate amended claims 28 and 41.

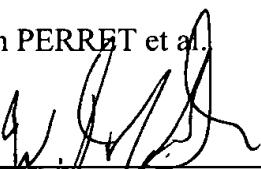
As explained above, neither the Copple '330 reference nor the Nista reference disclose or suggest a tether system comprising a plurality of tethers, in which each of the tethers includes an intermediate section having a wall thickness larger than a wall thickness of an upper section and smaller than a wall thickness of a lower section so that each of the tethers has at least two stepped

increases in wall thickness from the tension leg platform toward the sea bed, as recited in amended independent claims 28 and 41. Therefore, one of ordinary skill in the art would not be motivated by the Copple '330 reference and the Nista reference, either alone or in combination, to obtain the invention recited in amended independent claims 28 and 41. Accordingly, it is respectfully submitted that amended independent claims 28 and 41, and the claims that depend therefrom, are now in condition for allowance.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

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